

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**KENNETH LEE JOHNSON,**

**Defendant.**

**4:04CR3166**

**DETENTION ORDER**

**PETITION FOR  
ACTION ON CONDITIONS  
OF  
SUPERVISED RELEASE**

Pursuant to 18 U.S.C. § 3142(f) and § 3143(a) of the Bail Reform Act, and Fed. R. Crim. P. 32.1(a)(6),

**IT IS ORDERED,**

The above-named defendant shall be detained until further order, because:

  X   The defendant has failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3153 (a) and Fed. R. Crim. P. Rule 32.1(a)(6) that defendant is not likely to fail to appear or pose a danger to the safety of any person or the community.

       The defendant waived the right to a detention hearing and agreed to detention.

The Court's findings are based on the evidence presented in court and that contained in the court's records, and includes the following:

based on the allegations of record, the defendant failed to comply with the most restrictive non-treatment option available for consideration. At this time, he will be detained because he poses a risk of harm to himself and the community if released.

**IT HEREBY IS FURTHER ORDERED:**

The defendant is committed to the custody of the Attorney General for confinement in a corrections facility; the defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver the defendant to a United States Marshal for appearance in connection with a court proceeding.

DATED: November 18, 2011

BY THE COURT:

*s/Cheryl R. Zwart*  
Cheryl R. Zwart  
United States Magistrate Judge